

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

ANTONE REYNOLDS,

Plaintiff,

v.

Case No. 2:09-cv-144
HON. ROBERT HOLMES BELL

UNKNOWN WARZAK, et al.,

Defendants.

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REPORT AND RECOMMENDATION

Plaintiff filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. On September 8, 2011, this Court issued an opinion and order granting in part and denying in part defendants' motion to dismiss. On September 30, 2011, plaintiff's copies of the opinion and order were returned to this Court as undeliverable, indicating that plaintiff had been paroled and had left no forwarding address. Plaintiff has failed to keep this Court apprised of his current address. Furthermore, a review of the Court docket reflects that plaintiff has failed to file any pleadings in this matter since entry of the Court's order on September 8, 2011. It appears that plaintiff has abandoned the prosecution of this case. Therefore, it is recommended that plaintiff's complaint be dismissed in its entirety, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute. *See Catz v. Chalker*, 142 F.3d 279, 286 (6th Cir. 1998); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991); *Buck v. U.S. Dept. of Agriculture*, 960 F.2d 603 (6th Cir. 1992).

NOTICE TO PARTIES: Objections to this Report and Recommendation must be served on opposing parties and filed with the Clerk of the Court within fourteen (14) days of receipt

of this Report and Recommendation. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b); W.D. Mich. LCivR 72.3. Failure to file timely objections constitutes a waiver of any further right to appeal. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). *See also Thomas v. Arn*, 474 U.S. 140 (1985).

/s/ Timothy P. Greeley
TIMOTHY P. GREELEY
UNITED STATES MAGISTRATE JUDGE

Dated: January 5, 2012